

PRE-HEARING STAFF ANALYSIS

Rezoning Petition No. 2007-111

Property Owner: Fourth Ward Square Assoc.

Petitioner: Fourth Ward Square Assoc.

Location: Approximately 3.54 acres located on the northwest corner of North Graham Street and West 8th Street.

Center, Corridor, or Wedge: Center

Request: MUDD-O(HD-O) S.P.A., mixed use development district, optional, historic district overlay site plan amendment.

Summary

This request proposes to amend an existing MUDD-O site plan to increase the allowable commercial square footage from 20,000 to 30,000 and the number of residential units from 424 to 550. The optional provision will be utilized to allow the sidewalks along roadways to meander to save existing trees and to allow a maximum building height of 140-feet, which is a reduction from 320-feet presently approved.

Consistency and Conclusion

This request is consistent with current land use recommendations in the *Fourth Ward Plan*. The first floor commercial and residential units are in keeping with previous plans for the neighborhood. Therefore, this request would be considered appropriate for approval upon resolution of the outstanding site plan issue.

Existing Zoning and Land Use

The surrounding properties are zoned a combination of UR-2, UR-C and UR-1 and are occupied by commercial, residential and vacant land.

Rezoning History in Area

A small parcel farther north on North Smith Street was rezoned to MUDD under petition 2001-120.

Public Plans and Policies

The Draft Third Ward Station Area Plan. This draft plan addresses how land should be maintained or changed in the future. Staff's preliminary land use recommendation is for this site to remain residential. The only change foreseen is the encouragement of retail services on the first floor. The staff draft recommends residential with a maximum height of six to eight stories. These recommendations have been shared with stakeholders, but the plan has not been adopted.

Center City 2010 Vision Plan (adopted 2000). This is the most recently adopted plan for the subject area. This plan recommends that residential uses should continue to be the principle land use in the Fourth Ward. It should be noted that the MUDD district did not exist at the time this plan was adopted.

Fourth Ward Plan (adopted 1987). This plan recommends mixed-use/high density residential uses on this site.

Proposed Request Details

This request proposes to amend an existing MUDD-O plan on a 3.54 acre site to allow 550 residential units and 30,000 square feet of commercial uses. The optional provision will be utilized to allow the sidewalks along roadways to meander to save existing trees and allow a 140-foot maximum height for future buildings. The site plan also includes the following:

- # All parking areas will have security gates to restrict access.
- # The petitioner will construct a bus waiting pad at the existing bus stop on North Graham Street.
- # All sidewalks will consist of brick pavers and granite curbs, per the *Fourth Ward Streetscape Plan*.
- # Pedestrian lighting will be provided, as per the *Fourth Ward Plan*.

Public Infrastructure

Traffic Impact / CDOT Comments. CDOT notes that this request could generate approximately 4,900 trips per day as currently zoned. Under the proposed zoning the site could generate approximately 6,300 trips per day. This will have a significant impact on the surrounding thoroughfare system, but since this site is located in the Uptown where there is a dense street network, the impact should be minimized.

CATS. CATS comments have been addressed.

Connectivity. Connectivity is not an issue.

Storm Water. Storm Water Services notes that downstream complaints consist of flooding and blockage. This site drains to a stream listed as impaired by the North Carolina Division of Water Quality. Additional storm water comments are attached.

Mecklenburg County Land Use and Environmental Services Agency. LUESA notes that groundwater contamination was reported at this site in 1989. LUESA recommends that the petitioner provide information regarding environmental conditions at this site as part of the rezoning request. Additional LUESA comments are attached.

School Information. Charlotte-Mecklenburg Schools has reviewed the petition and indicates the proposed development will add approximately seven students to the schools in this area. The development allowed under the existing zoning would generate zero students. Therefore, the net change in the number of students generated from existing zoning to proposed zoning is seven. Additional comments are attached.

Outstanding Issues

Land Use. This request is consistent with current land use recommendations for the Fourth Ward. The first floor commercial and residential units are in keeping with previous plans for the neighborhood. Therefore, from a land use standpoint, this request is appropriate for approval.

Site plan. The following site plan issues are still outstanding:

- # The petitioner should delete all references to the previous petition.
- # The petitioner should address Storm Water Services comments.